

LIEUTENANT GOVERNOR ^[603]

CRIMINAL EXTRADITION RECORDS, 1881-1977.

21 reels microfilm

DESCRIPTION: Extradition records consist of all the documents generated in order to request another state to return a criminal fugitive to Utah. Beginning in 1959, the paperwork on fugitives other states wanted returned from Utah is also included in the series. After the Adult Probation and Parole Department was established [Laws of Utah, 1937, Chap. 122, Section 1] some procedural changes affected the extradition process and its documentation; however, the basic approaches remained quite similar throughout the history of the records.

Applications for requisitions were made to the Governors of Utah, usually from Utah's county attorneys, and they requested authorization to requisition Governors of other states for the purpose of extraditing the criminals back to Utah. The applications provide an overview of the similarities and differences involved in returning fugitives. Some were charged with crimes for which they had not been prosecuted in court; others were charged with violations of parole or probation.

Approaches varied determined by the offense with which the fugitive was charged. Most of the applications requested that the fugitive be brought back to face trial and stated the belief that enough evidence existed to result in a criminal conviction. The crime was described and the statute violated was cited.

When the fugitive was accused of parole violation he had already been convicted of a crime. Based upon his failure to meet the terms of parole, he was to be brought before the Board of Pardons. They determined if the parole should be revoked and the offender returned to prison to complete his sentence. Again, when a fugitive was accused of violating conditions of probation he had already been convicted of a crime. Based upon his failure to meet the terms of his probation, he was to appear in court to determine if probation should be revoked and the prison sentence carried out.

Common to the Applications are several assertions:

- (1) Duplicate copies of required papers have been prepared.
- (2) Only one application has been submitted regarding the complaint described.
- (3) The city and state where the fugitive is in custody is known.
- (4) The application has not been submitted to collect a debt or for any private reason.
- (5) The fugitive is to be brought back to Utah at state expense to face charges. Police officers assigned as agents were charged with the responsibility of returning fugitives to face trial for alleged crimes; they also had the responsibility of returning fugitives who had violated conditions of probation. Agents representing Adult Probation and Parole were assigned to return fugitives who had violated terms of parole.

A typical extradition case file contains several standard documents:

1. A Complaint reported statements, made under oath, by a witness, which accused a defendant of a crime. The date, location, and circumstances of the crime and criminal statutes violated were described.
2. Violation Reports accused fugitives of disobeying specific conditions of parole or probation. The date, location, and circumstances of the violations were identified.
3. Warrants of Arrest were issued by the court and commanded police agencies to arrest persons suspected of crimes for which they had not been tried. They were also issued to arrest persons who, after being convicted of a crime, were placed on probation and were then accused of violating the terms of their probation. In the case of parole violations the Warrant of Arrest was directed to Adult Probation and Parole from the Board of Pardons and commanded that the violator be arrested and delivered to the warden of the Utah State Prison.
4. Affidavits recorded voluntary statements, made under oath, based on personal knowledge or belief about criminal acts. They were helpful as evidence to support Applications, Complaints, Violation Reports, and Warrants of Arrest.
5. Requisitions are the main documents included in the extradition records originating from other states and sent to Utah. They made formal demands for the return of fugitives which were submitted from the Governors of other states to the Governors of Utah. The Requisitions from the various states had very similar formats. They declared that supporting documents were in order according to the laws of the United States, their state, and the State of Utah. They reported the fugitive's name, the suspected crime, and the agent authorized to transport the person back to their state to face charges. They were dated, signed by their Governor, and inscribed with the state's official seal. The Requisitions were upheld by Applications, Complaints, Violation Reports, Warrants of Arrest, and Affidavits.

Although many files contain a minimum of related documents, as described above, a few are quite large. The following types of documents are found in some of these files: indictments, criminal codes, criminal records, property records, arraignment reports, arrest reports, autopsy reports; court minutes, court transcripts, court exhibits, court orders, court sentences, commitment warrants, conviction reports; probation agreements, parole agreements, work release agreements, parole or probation suspensions, parole or probation revocations; photographs, mug shots, fingerprint cards, handwriting samples; cancelled checks, bank statements, credit slips, receipts, invoices, contracts, gift certificates; memos, letters, maps; time cards, employment applications; divorce decrees, and driver's licenses.

ARRANGEMENT: Arranged chronologically by day, month, and year.

RELATED RECORDS: PARDON APPLICATION CASE FILES, series 328, has further background data on some of the cases. Series 80460, the CORRESPONDENCE of the Board of Pardons, has a variety of documents relating to some of the fugitives. MINUTES of the Board of Pardons, series 332, contains summaries for the hearings of prisoners over much of the same period covered in this series. Information on a specific criminal can be found in any of these series.

CUSTODY HISTORY: This series began when the Lieutenant Governor was known as the Secretary of State.

PROCESSING NOTE: The series was scheduled in 1969 to be destroyed after microfilming. In 1980, records created from 1963-1977 were transferred to the Archives Records Center. Records created before that time had been transferred to the archives at an earlier date. With the exception of microfilming, processing of this portion of the series was completed during 1988. Microfilming was completed during 1989. After microfilming the paper documents were destroyed.

GAPS IN THE SERIES: Extradition records which originated in Utah are missing years 1901 thru 1904. The extradition records which originated in other states for the return of fugitives who fled to Utah begin in 1959; there are no records for 1963.

CONTAINER LIST

Reel	Description
1	Extraditions of Fugitives to Utah; Feb. 1881 - Dec. 1910
2	Extraditions of Fugitives to Utah; Dec. 1910 - Dec. 1915
3	Extraditions of Fugitives to Utah; Jan. 1916 - Dec.

Reel	Description
	1919
4	Extraditions of Fugitives to Utah; Jan. 1920 - Oct. 1925
5	Extraditions of Fugitives to Utah; Oct. 1925 - Feb. 1932
6	Extraditions of Fugitives to Utah; Feb. 1932 - Apr. 1942
7	Extraditions of Fugitives to Utah; Apr. 1942 - Apr. 1947
8	Extraditions of Fugitives to Utah; Apr. 1947 - Apr. 1950
9	Extraditions of Fugitives to Utah; Apr. 1950 - Oct. 1954
10	Extraditions of Fugitives to Utah; Oct. 1954 - June 1958
11	Extraditions of Fugitives to Utah; July 1958 - May 1962
12	Extraditions of Fugitives to Utah; May 1962 - Oct. 1967
13	Extraditions of Fugitives to Utah; Oct. 1967 - Dec. 1970
14	Extraditions of Fugitives to Utah; Jan. 1971 - July 1975
15	Extraditions of Fugitives to Utah; July 1975 - Dec. 1977
16	Extraditions of Fugitives from Utah; Jan. 1959 - Dec. 1966
17	Extraditions of Fugitives from Utah; Jan. 1967 - Mar. 1971
18	Extraditions of Fugitives from Utah; Mar. 1971 - Apr. 1974
19	Extraditions of Fugitives from Utah; Apr. 1974 - Dec. 1975
20	Extraditions of Fugitives from Utah; Jan. 1976 - July 1977
21	Extraditions of Fugitives from Utah; July 1977 - Dec. 1977